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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/716,427	11/20/2003	Takashi Tatsumi	245637US0

22850  
 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
 1940 DUKE STREET  
 ALEXANDRIA, VA 22314

CONFIRMATION NO. 6969

## FORMALITIES LETTER



\*OC000000012336742\*

Date Mailed: 04/12/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

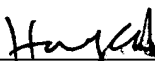
The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) (see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)). See Figure(s) 1-9.
  - The drawings contain excessive text. Suitable descriptive legends may be used, or may be required by the Examiner where necessary for understanding of the drawing but should contain as few words as possible ( see 37 CFR 1.84(o)). See Figure(s) 11.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

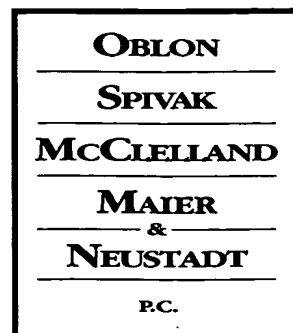
  
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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



1PW



ATTN: APPLICATION BRANCH

**THIS IS A RESPONSE TO A  
NOTICE TO FILE MISSING  
PARTS OF AN APPLICATION**

ATTORNEYS AT LAW

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

Re: Inventor: Takashi TATSUMI, et al.  
Serial No: 10/716,427  
Filed: November 20, 2003  
For: MESOPOROUS SILICA AND PROCESS FOR PRODUCING THE  
SAME

SIR:

Attached hereto for filing are the following papers:

Return Copy - Notice to File Missing Parts  
Request for Extension of Time - Two Months  
English Translation of Specification (40 pp., 11 Claims, 14 Drawings Sheets) w/attached Certificate of Translation (executed)  
Filing of Declaration Under 37 CFR 1.53(f)  
Executed Declaration and Power of Attorney (5 pp.)  
Preliminary Amendment  
Request for Priority  
Priority Document (1)  
Letter Submitting Replacement Drawing Sheets  
13 Replacement Drawing Sheets

The PTO did not receive the following  
listed item(s) Credit Card  
form amount \$ 420.00

Our credit card payment form in the amount of \$420.00 is attached covering any required fees. In the event that any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time. A duplicate of this sheet is enclosed.


Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon

Docket No. 245637US0

Customer Number  
**22850**

Tel. (703) 413-3000  
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(OSMMN 05/03)

  
Vincent K. Shier, Ph.D.  
Registration No. 50,552

Docket No. 245637US0



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Takashi TATSUMI, et al.

SERIAL NUMBER: 10/716,427

ATTN: APPLICATION BRANCH

FILING DATE: November 20, 2003

FOR: MESOPOROUS SILICA AND PROCESS FOR PRODUCING THE SAME

**FILING OF DECLARATION UNDER 37 CFR 1.53(f)**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the notification dated April 12, 2004, and in accordance with the provisions of 37 CFR 1.53(f),  
Applicants submit herewith a Rule 63 Declaration.

The required fee was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable  
action is earnestly solicited.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon

Vincent K. Shier, Ph.D.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION: Takashi TATSUMI, et al.

SERIAL NO.: 10/716,427

GAU:

FILED: November 20, 2003

EXAMINER:

FOR: MESOPOROUS SILICA AND PROCESS FOR PRODUCING THE SAME

LETTER SUBMITTING REPLACEMENT DRAWING SHEET(S)

COMMISSIONER FOR PATENTS  
Alexandria, VA 22313

SIR:

Responsive to the below indicated communication, the following drawing sheets are submitted herewith:

- ☒ 13 Replacement Drawing Sheets ☐ \_\_\_\_\_ New Drawing Sheets
- ☐ Official Action dated \_\_\_\_\_
- ☐ Notice of Allowance/Issue Fee dated \_\_\_\_\_
- ☒ NOTICE TO FILE MISSING PARTS dated 06/12/2004

The changes and/or modifications made include the following:

The drawings submitted herewith are replacement drawings for Figs. 1-13 and have been translated from Japanese into English and the extraneous descriptive matter has been deleted as required.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon

A handwritten signature in black ink, appearing to read "V. Shier".

Vincent K. Shier, Ph.D.  
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